

Order

Michigan Supreme Court
Lansing, Michigan

October 5, 2011

Robert P. Young, Jr.,
Chief Justice

143035

Michael F. Cavanagh
Marilyn Kelly
Stephen J. Markman
Diane M. Hathaway
Mary Beth Kelly
Brian K. Zahra,
Justices

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

v

SC: 143035
COA: 302124
Tuscola CC: 10-011496-FH;
10-011571-FH

COREY JAMES JOBSON,
Defendant-Appellant.

On order of the Court, the application for leave to appeal the February 18, 2011 order of the Court of Appeals is considered and, pursuant to MCR 7.302(H)(1), in lieu of granting leave to appeal, we VACATE the defendant's sentence. Zero points should be scored for Prior Record Variable 7 because the Court of Appeals vacated the defendant's concurrent conviction for possession of child sexually abusive materials. The resulting change in the defendant's total PRV score produces a lower guidelines range, and the defendant is thus entitled to resentencing. See *People v Francisco*, 474 Mich 82 (2006). Therefore, we REMAND this case to the Tuscola Circuit Court for resentencing under properly scored sentencing guidelines. In all other respects, leave to appeal is denied because we are not persuaded that the remaining questions presented should be reviewed by this Court.

We do not retain jurisdiction.



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I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

October 5, 2011

Corbin R. Davis

Clerk